

**DIVISION OF ENVIRONMENTAL HEALTH  
SOLID WASTE PROGRAM  
610 UNIVERSITY AVENUE  
FAIRBANKS, AK 99709-3643**

**Telephone: (907) 451-2360  
FAX: (907) 451-2187**

**File number: 310.15.008**

November 30, 1999

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED # P 323 027 965**

Don Thornburgh  
NSB Occupational Safety and Environmental Affairs  
P.O. Box 69  
Barrow, Alaska 99723

***Re: Barrow TOS Incineration Facility, Solid Waste Treatment Permit #9931-BA005***

Dear Mr. Thornburgh:

The Department of Environmental Conservation has completed its evaluation of your solid waste treatment facility permit application for the Barrow Thermal Oxidation System (TOS) Incineration Facility, located near Barrow, Alaska in SW 1/4, Sec. 28, T.23N., R.18W., Umiat Meridian. The Department is issuing the permit in accordance with AS 46, 18 AAC 15, and 18 AAC 60. Please review the conditions and stipulations in the permit and ensure they are all understood. This permit is effective upon issuance and expires November 15, 2004.

This operation of your facility has been reviewed for consistency with the Alaska Coastal Management Program, 6 AAC 50, and has been found to be consistent with the Alaska Coastal Management Program regulations and the North Slope Borough plan.

Any person who disagrees with this decision may appeal the decision by requesting an adjudicatory hearing, using the procedures contained in 18 AAC 15.200-310. Hearing requests must be delivered to the Commissioner of the Department of Environmental Conservation, 410 Willoughby Avenue, Juneau, Alaska 99801-1795, within 30 days of receipt of this letter. If a hearing is not requested within 30 days, the right to appeal is waived. Even if an adjudicatory hearing has been requested and granted, all permit conditions remain in full force and effect. Please also send a copy of the request to the undersigned.

Sincerely,

Heather T. Stockard  
Solid Waste Program Manager

Enclosure: \* Permit #9931-BA005  
cc w/encl: Nancy Sonafrank, ADEC/Fairbanks  
Trustees for Alaska/Anchorage

**ALASKA DEPARTMENT  
OF  
ENVIRONMENTAL CONSERVATION  
DIVISION OF ENVIRONMENTAL HEALTH  
610 UNIVERSITY AVENUE  
FAIRBANKS, ALASKA 99709-3643**

**SOLID WASTE TREATMENT PERMIT**

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Permit: **9931-BA005**

Date: November 30, 1999

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This Solid Waste Treatment Facility Permit is issued to the North Slope Borough, P.O. Box 69, Barrow, Alaska 99723, for the operation and maintenance of the Barrow Thermal Oxidation System (TOS) Incinerator Facility located near Barrow, Alaska in SW 1/4, Sec. 28, T.23N., R.18W., Umiat Meridian. This permit is subject to the conditions and stipulations contained in Appendices A and B, which are incorporated herein by reference.

This permit is issued under the provisions of Alaska Statute 46.03 and the Alaska Administrative Code, as amended or revised, and other applicable state laws and regulations.

This operation of your facility has been reviewed for consistency with the Alaska Coastal Management Program, 6 AAC 50, and has been found to be consistent with the Alaska Coastal Management Program regulations and the Northwest Arctic Borough plan.

This permit is effective upon issuance and expires November 15, 2004. It may be terminated or modified in accordance with AS 46.03.120.

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Heather T. Stockard  
Solid Waste Program Manager

## **APPENDIX A – SPECIFIC CONDITIONS**

### **I. SITE DEVELOPMENT**

The permit holder shall:

- A. Comply with the designs and plans in the permit application dated February 19, 1995, the revised Operations Plan received February 22, 1999, amendments received July 12, 1999 and August 5, 1999, as well as the following permit conditions. Additional modifications may be requested by the permittee, but must be authorized by a permit amendment, before that modification is effective.
- B. Ensure that all operations will accommodate the waste volume within the TOS Building and are done in a manner that will allow facility closure.
- C. Erect and maintain fencing surrounding the active treatment areas with a locking gate at the site entrance to control public access to the site.
- G. Ensure that the surface water runoff from outside of the facility does not flow over, into, or through uncovered or covered solid waste by constructing diversion structures, berms, or ditches at the facility.
- H. Erect and maintain the following signs:
  - 1. Erect and maintain a readily visible sign at the facility with the following information legibly printed:

**Facility Identification**  
**Owner/Operator Name**  
**Hours of Operation**  
**Conditions for Use**  
**Emergency Phone Numbers**

- 2. Erect and maintain readily visible signs in the facility which will identify unacceptable items such as sewage sludge, acids, corrosives, solvents, explosives, radioactive waste, pathogenic waste, hazardous waste, etc..

### **II. SITE OPERATIONS**

The permit holder shall:

- A. Ensure that only municipal solid wastes are incinerated at the facility.
- B. Ensure that public access to the facility is controlled to reduce risks to health and to

reduce safety hazards. Maintain on-site roads to assure easy user access to the facility at all times during operating hours.

- C. Ensure that dust, odor, noise, traffic, and other effects from the operation of the facility do not become a nuisance or hazard to the health, safety, or property of persons outside the facility boundary.
  - 1. Control odors from stored solid waste awaiting processing at the site. Putrescible wastes may not be stored outside of the TOS Building.
  - 2. Institute measures, as needed, to control dust at the TOS facility due to either local traffic accessing the site or from facility operations.
- D. Manage the facility and institute control measures as needed to ensure that disease vectors, wildlife, and domestic animals do not endanger public health or safety, become harmed by contact with the waste, or become a nuisance.
- E. Ensure that TOS Facility personnel conduct random hazardous waste inspections of incoming loads to check for prohibited wastes. Ensure that TOS Facility personnel receive adequate training in the identification of hazardous waste and prohibited waste. Maintain a random load inspection log, at least once per week, which will be available to the Department during facility inspections.
- F. Remove any hazardous or unacceptable wastes to the appropriate storage or disposal area of the Barrow Landfill in accordance with COBC 99-001 or as revised or amended.
- G. Report all spills or discharges of hazardous substances (as described in 18 AAC 75, Article 3, or as revised or amended) that occur at the TOS facility and yard.
- H. Ensure that fires outside of the incinerator are prevented at the facility. Should a fire occur, it shall be extinguished promptly, and the Department will be notified within 24 hours.
- I. Ensure that any used oils or petroleum products stored outside of the TOS building, which are collected or designated for reuse, are contained in a bermed and lined area. Barrels containing used oil must be labeled as such with indelible markings.

II. SITE OPERATIONS (cont.)

- J. Ensure ash and residuals are stored within enclosed containers and held at the TOS Facility until testing results (see Section V) are received and final disposal options are determined.
- K. Pick up any litter on a weekly basis from May through September, which may occur within the site or have blown onto neighboring properties located within 50 feet of the facility entrances and along the major access road to the site.
- L. Control any surface water run-off from the site and ensure that it does not cause a violation of 18 AAC 70 water quality regulations.

III. PROHIBITIONS AND SPECIAL RESTRICTIONS

- A. Prohibit discharge of firearms at the facility.
- B. Prohibit uncontrolled scavenging and salvaging by the public.
- C. Prohibit disposal or treatment of hazardous wastes, as defined by 40 CFR Part 261. Ensure that waste meeting this definition is disposed of in accordance with 40 CFR Part 262, Standards Applicable to Generators of Hazardous Waste.
- D. Prohibit the treatment or incineration of radioactive material, explosives, solvents, strong acids, untreated pathogenic waste, and other waste defined as hazardous under 18 AAC 60.910(28) at the facility.
- E. Prohibit the incineration of asbestos-containing material at the facility.
- F. Prohibit the incineration of tires, heavy plastic or other wastes which would cause an air quality violation under 18 AAC 50 and the facility air quality permit #9771-AC012.
- E. Prohibit incineration of lead-acid, nickel-cadmium and other batteries containing significant heavy metals in the TOS facility. Storage of batteries is permitted in a designated area at the Barrow Landfill facility in closed, leak-proof containers prior to transport to an acceptable recycler or disposal site.
- F. Prohibit the treatment of polluted soil as defined by 18 AAC 60.025 & 330.

IV. RESOURCE CONSERVATION AND RECOVERY

- A. Establish a separate recyclable goods area for items such as scrap metals and vehicle batteries. Recyclable goods shall be stored in a safe and sanitary way that prevents a litter violation under AS 46.06.080 and prevents a health or safety hazard.

V. MONITORING AND REPORTING REQUIREMENTS

The permit holder shall:

- A. Visually monitor the TOS Facility each month to ensure wastes are stored in their appropriate areas, that there is no run-off from the site impacting neighboring properties, that litter is picked up, and that there is no damage from operations at the facility. Record the inspection results and maintain them in the facility's operating record for review by Department staff during inspections.
- B. Sample the TOS ash and residuals on a quarterly schedule and analyze for metals using the Toxicity Characteristic Leaching Procedure (EPA method 1311) prior to disposal. Prepare a composite sample taken from each container of ash and residuals such that the tests are representative of the wastes. Any ash sample which has the characteristics of a hazardous waste as determined by the TCLP test may not be placed at the Barrow Landfill and must be handled and disposed of in accordance with 40 CFR Part 262.
- A. Maintain a copy of the following records listed in Table A in the facility's operating record. The records shall be made available to Department staff for review during facility inspections.

**Table A.**

<b>RECORD KEEPING REQUIREMENTS</b>	<b>REGULATION CITATION:</b>
Permit application or permit	18 AAC 60.210
Solid Waste Management Plan	18 AAC 60.205
Operations & Maintenance Manual	18 AAC 60.210(b)(9)
Visual Inspections Records	18 AAC 60.800
Financial Responsibility Documentation	18 AAC 60.265
Hazardous wastes/PCB detection program records	18 AAC 60.240
Closure plans	18 AAC 60.245
Staff training & operator certification records operators (i.e., TOS operations, haz-waste identification, safety, etc.)	18 AAC.60.335

<b>RECORD KEEPING REQUIREMENTS</b>	<b>REGULATION CITATION:</b>
Airport distance, floodplain, and other location restriction demonstrations	18 AAC 305-320

VI. CLOSURE REQUIREMENTS

The permit holder shall:

- A. Notify the Department's Fairbanks office at least thirty days before the site is to be permanently closed and the equipment withdrawn.
- C. Ensure that facility closure activities are conducted in accordance with the Operating Procedures Summary from February 22, 1999 and the subsequent amendment received July 12, 1999, or as otherwise approved by the Department in writing.

## **APPENDIX D - GENERAL PERMIT CONDITIONS**

### **I. ACCESS AND INSPECTION**

The permittee shall allow the Commissioner or his/her representative access to the permitted facilities at reasonable times to conduct scheduled or unscheduled inspections or tests to determine compliance with this permit, State laws, and regulations.

### **II. INFORMATION ACCESS**

Except for information relating to confidential processes or methods of manufacture, all records and reports submitted in accordance with the terms of this permit shall be available for public inspection at the State of Alaska Department of Environmental Conservation, Fairbanks Office, 610 University Avenue, Fairbanks, Alaska 99709-3643.

### **III. CIVIL AND CRIMINAL LIABILITY**

Nothing in this permit shall relieve the permittee from civil or criminal penalties for noncompliance, whether or not such noncompliance is due to factors beyond his control, including, but not limited to, accidents, equipment breakdowns, or labor disputes.

### **IV. AVAILABILITY**

The permittee shall post or maintain a copy of this permit available to the public at the disposal facility.

### **V. ADVERSE IMPACT**

The permittee shall take all necessary means to minimize any adverse impacts to the receiving waters or lands resulting from noncompliance with any limitation specified in this permit, including any additional monitoring needed to determine the nature and impact of the noncomplying activity. The permittee shall cleanup and restore all areas adversely impacted by the noncompliance.

VI. CULTURAL OR PALEONTOLOGICAL RESOURCES

Should cultural or paleontological resources be discovered as a result of this activity, work which would disturb such resources is to be stopped, and the State Historic Preservation Office, Division of Parks and Outdoor Recreation, Department of Natural Resources, is to be notified immediately (907-269-8721).

VII. APPLICATIONS FOR RENEWAL

In accordance with 18 AAC 15.100(d), applications for renewal or amendment of this permit must be made no later than 30 days before the expiration date of the permit or the planned effective date of the amendment.

VIII. OTHER LEGAL OBLIGATIONS

The requirements, duties, and obligations set forth in this permit are in addition to any requirements, duties, or obligations contained in any permit that the Alaska Department of Environmental Conservation or the U.S. Environmental Protection Agency has issued or may issue to the permittee. This permit does not relieve the permittee from the duty to obtain any and all necessary permits and to comply with the requirements contained in any such permit or with applicable state and federal laws and regulations. All activities conducted by the permittee pursuant to the terms of this permit and all plans implemented by the permittee pursuant to the terms of this permit shall comply with all applicable state and federal laws and regulations.

IX. POLLUTION PREVENTION

In order to prevent and minimize present and future pollution, when making management decisions that affect waste generation, the permittee shall consider the following order of priority options: waste source reduction; recycling of waste; waste treatment; and waste disposal.